

PATENT
ATTORNEY DOCKET NO.: 045636-5048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Isabelle POQUET *et al.*

Application No.: 09/869,106

Filed: October 9, 2001

FOR: GRAM-POSITIVE BACTERIA DEPRIVED
OF H₂A PROTEASE ACTIVITY AND
THEIR USES

Group Art Unit: 1645

Examiner: Craser, Jennifer F.

VIA FACSIMILE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Best Available Copy

Sir:

AMENDMENT (FEE) TRANSMITTAL FORM

- Transmitted herewith is an Amendment responding to the Office Action dated September 30, 2004. A three months extension of time and a Notice of Appeal was filed on March 30, 2005.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$120.00	\$ 60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

- ☒ If an additional extension of time is required, please consider this a Petition

ATTORNEY DOCKET NO.: 045636-5048
 Application No.: 09/869,106
 Page 2

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. §1.16) (Large Entity)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	5	minus	20	**	x \$30/\$25 each=	\$ **00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	**	x \$100/\$50 each=	\$ **00
**First presentation of Multiple dependent claim(s): **previously paid					\$360/\$180	\$ **00
SUB-TOTAL =						\$ **00
Fee for ** Month Extension of Time						\$ **00
TOTAL FEE =						\$ **00

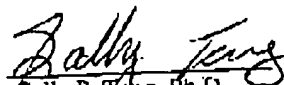
5. Fee Payment

- ☒ The Commissioner is hereby authorized to charge \$120.00 to Deposit Account No. 50-0310 for One-Month Extension of Time Fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
 Morgan Lewis & Bockius LLP

Date: June 3, 2005
 Morgan Lewis & Bockius LLP
 Customer No. 09629
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 Tel. No.: 202-739-3000
 SPT:mk

By:


 Sally P. Teng, Ph.D.
 Registration No. 45,397
 Tel. No.: (202) 739-5734
 Fax No.: (202) 739-3001

PATENT
ATTORNEY DOCKET NO. 045636-5048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Isabelle POULET *et al.*

Application No.: 09/869,106

Filed: October 9, 2001

For: **GRAM-POSITIVE BACTERIA DEPRIVED
OF IL-6 PROTEASE ACTIVITY AND
THEIR USES**

Group Art Unit: 1645

Examiner: J. Graser

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116

This paper responds to the Office Action, dated September 30, 2004, time for response to which expired December 30, 2004. A three months extension of time and a Notice of Appeal was filed on March 30, 2005. An extension of time of one month is filed concurrently, thereby extending the period of response to June 30, 2005.

Applicants respectfully request reconsideration of this application in view of the following amendment and remarks.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

Not Available Copy